

ADAMS, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

HITHAM ABUHOURLAN,)	
)	CASE NO. 4:06CV1207
Plaintiff,)	
)	
v.)	<u>Judge John R. Adams</u>
)	
R.L. MORRISON, <i>et al.</i> ,)	ORDER [Resolving Docs. 14, 17]
)	
Defendants.)	
)	

Before the Court are two motions filed by Plaintiff Hitham Abuhouran. The first is a Motion for Reconsideration of the Court's prior Order that dismissed Plaintiff's claims in their entirety.¹ The second is a Motion to Hold in Abeyance Plaintiff's Motion for Reconsideration pending decisions in *Jones v. Bock*, 126 S.Ct. 1462 (2006) and *Williams v. Overton*, 126 S.Ct. 1463 (2006). Both motions are hereby DENIED.

The Court sees no need to hold Plaintiff's Motion for Reconsideration in abeyance. In weighing the relevant factors, the Court does not find that the cases pending in the United States Supreme Court would have a dispositive effect on Plaintiff's case. *See generally Michael v. Ghee*, 325 F.Supp.2d 829, 831 (N.D. Ohio 2004) (discussing the factors to be weighed on a motion for stay). Although the cases pending in the Supreme Court deal with the exhaustion requirement under 42 U.S.C. § 1997e, the instant matter is distinguishable because it does not deal with "total exhaustion." Moreover, the prior Order dismissing Plaintiff's claims set forth

¹ Plaintiff filed a Notice of Appeal with the Sixth Circuit prior to filing his Motion for Reconsideration in this Court. His appeal is currently pending.

alternative grounds for dismissal. As such, even if the Supreme Court issued a favorable ruling, such a ruling alone would not have a dispositive effect on Plaintiff's case. With respect to the merits of Plaintiff's Motion for Reconsideration, the Court finds that Plaintiff's motion does not raise sufficient grounds to merit reconsideration. *See e.g. U.S. v. Universal Mgmt. Services, Inc., Corp.*, 191 F.3d 750, 757 (6th Cir. 1999) (discussing the grounds for relief under Federal Rule 60(b)). Accordingly, both motions are DENIED.

IT IS SO ORDERED.

December 29, 2006
Date

s/John R. Adams
John R. Adams
U.S. District Judge